

HOLWELL SHUSTER & GOLDBERG LLP

April 12, 2024

The Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

Re: *In re Blue Skye Financial Partners S.à r.l.*, No. 1:22-mc-00171-KPF (S.D.N.Y.)

Dear Judge Failla,

Earlier this week, Blue Skye filed a letter-motion regarding a dispute as to whether Blue Skye could share Protected Material with counsel for its adversaries, Rossoneri Sport and Project Redblack, in the Luxembourg criminal case, which is one of the authorized proceedings in which Blue Skye can use the discovery obtained here. Dkt. 89–90.

Since that time, counsel for Rossoneri Sport and Project Redblack signed the Endorsement to the Protective Order, and Blue Skye promptly informed counsel for EMC. Ex. A at 6. Although EMC’s counsel previously told Blue Skye that “obtaining undertakings from counsel for Project Redblack and Rossoneri Sport is not sufficient to comply with the Protective Order” (*id.*),<sup>1</sup> EMC has since confirmed that Protected Material may be shared with Rossoneri Sport’s and Project Redblack’s lawyers now that the Endorsement has been signed. *Id.* at 3.

As a result, Blue Skye respectfully withdraws its letter-motion (Dkt. 89–90). We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Vincent Levy  
Vincent Levy

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<sup>1</sup> As noted in its letter motion, Blue Skye attempted to further meet and confer with counsel for EMC on this matter, but that offer was rejected. *Id.* at 8.

Application GRANTED. The Court considers Petitioner's letter motion withdrawn.

The Clerk of Court is directed to terminate the pending motions at docket entries 89 and 90.

Dated: April 15, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE